



PATENTS  
112056-0021

11/3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of: )  
R. Guy Lauterbach et al. )  
Serial No.: 10/072,140 )  
Filed: February 7, 2002 )  
For: SYSTEM AND METHOD FOR DI- )  
AGNOSTICS EXECUTION AND )  
DATA CAPTURE IN A STORAGE )  
SYSTEM USING NONVOLATILE )  
MEMORY )

Examiner: Not Yet Assigned

Art Unit: 2133

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
April 19, 2002

“Express Mail” Mailing-Label Number: EL 736451709 US

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Enclosed in response to the Notice to File Missing Parts of Application-Filing Date Granted mailed March 17, 2002, is a Declaration for Patent Application executed by the inventors, along with a check for \$130 to cover the oath or declaration surcharge for this Response. The above-referenced application filed in the Patent and Trademark Office is the application that the inventors executed by signing the enclosed Declaration.

PATENTS  
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Also enclosed is an executed Assignment and cover sheet and a check for \$40 to cover the Assignment recordation fee.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Duane H. Dreger", is written over a horizontal line.

Duane H. Dreger  
Reg. No. 48,836  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500



MAH

04-22-02

MP

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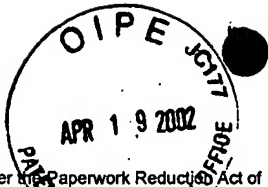
Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
April 19, 2002

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EL 736451709 US

The following papers are being deposited with the United States Postal Service  
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

<input checked="" type="checkbox"/> Oath or Declaration	<input checked="" type="checkbox"/> Fee Transmittal Letter
<input checked="" type="checkbox"/> Power of Attorney	
<input checked="" type="checkbox"/> Assignment With Recordation Form	<input checked="" type="checkbox"/> Check No. <u>4780</u> for \$130.00
Cover Sheet	
<input checked="" type="checkbox"/> Response to Notice to File Missing	<input checked="" type="checkbox"/> copy of Notice to File Missing Parts of
Parts of Application	Application
<input checked="" type="checkbox"/> Check No. <u>4781</u> for \$40.00	<input checked="" type="checkbox"/> Return Postcard



Patent and Trademark Office/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/072,140
Filing Date	February 7, 2002
First Named Inventor	R. Guy Lauterbach et al.
Examiner Name	Not Yet Assigned
Group Art Unit	2133
Attorney Docket No.	112056-0021

TOTAL AMOUNT OF PAYMENT (\$) 170

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 03-1237  
Deposit Account Name: Cesari and McKenna, LLP

- ☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	
SUBTOTAL (1)					0

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
20**	3**		0	0	0
			0	0	0
					0

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
103	203	18	9	Claims in excess of 20
102	202	84	42	Independent claims in excess of 3
104	204	280	140	Multiple dependent claim, if not paid
109	209	84	42	**Reissue independent claims over original patent
110	210	18	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

\*\*or number previously paid, if greater; For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Fee Surcharge - late filing fee or oath	130
127	227	50	25	Surcharge - late provisional filing fee or cover sheet	
139	139	130	130	Non-English Specification	
147	147	2,520	2,520	For filing a request for ex parte reexamination	
112	112	920	920*	Requesting publication of SIR prior to Examiner action	
113	113	1,840	1,840*	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for reply within first month	
116	216	400	200	Extension for reply within second month	
117	217	920	460	Extension for reply within third month	
118	218	1,440	720	Extension for reply within fourth month	
128	128	1,960	980	Extension for reply within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	138	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidable	
141	241	1,280	640	Petition to revive - unintentional	
142	242	1,280	640	Utility Issue fee (or reissue)	
143	243	460	230	Design Issue fee	
144	244	620	310	Plant Issue fee	
122	122	130	130	Petitions to the Commissioner	
123	123	50	50	Processing fee under 37 CFR 1.17(q)	
126	126	180	180	Submission of Information Disclosure Stmt	
581	581	40	40	Recording each patent assignment per property (times number of properties)	40
146	246	740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	169	900	900	Request for expedited examination of a design application	
Other fee (specify)					
Other fee (specify)					
SUBTOTAL (3)					105

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type)	Duane H. Dreger	Registration No. (Attorney/Agent)	48,836	Telephone	(617) 951-2500
Signature		Date	April 19, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



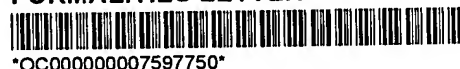
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,140	02/07/2002	R. Guy Lauterbach	112056-0021

CONFIRMATION NO. 1427

## FORMALITIES LETTER



\*OC00000007597750\*

24267  
CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210

Date Mailed: 03/07/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*Margaret*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/23/2002 AOSMAN1 00000043 10072140

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130.00 OP